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Attorneys for Defendant Subaru of America, Inc.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

**Danny Weston, Sandra Weston, Toni Buchetto Perretta, Martin Greenwald, Margaret Greenwald, and Kathleen Sears, James Burkett, Cheryl Boucher, David Boucher, David Dian, Alice Reh, and Katherine Spagnolo, individually and on behalf of all others similarly situated,**

Plaintiffs;

v.

**Subaru of America, Inc. and Subaru Corporation f/k/a Fuji Heavy Industries, LTD.,**

Defendants.

Case No. 1:20-cv-05876-RMB-JS

**Notice of Defendant Subaru of America, Inc.'s Motion to Dismiss [Fed. R. Civ. P. 12(b)(1), (6)]**

Motion Day: December 7, 2020

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on December 7, 2020, at 10:00 a.m., or as soon thereafter as counsel may be heard, Defendant Subaru of America, Inc. ("SOA") shall move before the United States District Court for the District of New Jersey, the Honorable Renee M. Bumb presiding, at the Mitchell H. Cohen U.S. Courthouse, 1 John F. Gerry Plaza, Camden, New Jersey 08101-2797, for an order dismissing Plaintiffs' Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6).

**PLEASE TAKE FURTHER NOTICE** that, in support thereof, SOA will rely on its brief and declaration of counsel with this motion.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Civil Rule 78.1(b), oral argument is requested.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of order also is attached.

Respectfully submitted,

Dated: October 9, 2020

*s/Casey Watkins*

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